

U.S. Application No. 09/009,327  
AMENDMENT C

ATTORNEY DOCKET NO.: 3881.012

a central depression compatible with the admission of the neck of another container of similar characteristics.--

REMARKS

Applicant respectfully requests review and reconsideration of the Office Action of August 20, 1999, in view of the above amendments and the addition of claims. Further, in accordance with 37 CFR 1.125, Applicant earlier submitted a substitute specification that was not accepted because the marked-copy was not the original. Applicant requests the substitute specification be accepted because the proper marked-up copy of the original specification is being submitted herewith.

Under current practice, substitute specifications may be voluntarily filed by the Applicant, and substitute specifications will be accepted (see MPEP § 714.20) if Applicant submits therewith a marked-up copy which shows the portions of the original specification which are being added and deleted, and a statement that the substitute specification includes no new matter, and that the substitute specification includes the same changes as are indicated in the marked-up copy of the original specification showing additions and deletions. Again, Applicant states that the substitute specification submitted on May 21, 1999, corresponds identically to the parent specification except that the matter indicated by the Examiner as **new matter** in the Office Action of January 22, 1999, has been deleted. Deletions are clearly indicated in the marked-up copy by lines drawn through the terms being deleted in the substitute specification. Additions are clearly indicated in the marked-up

1

U.S. Application No. 09/009,327  
AMENDMENT C

ATTORNEY DOCKET NO.: 3881.012

copy by penciled-in terms which are augmented in the substitute specifications.

No new matter was included in the substitute specification wherein grammatical changes were made. No new matter is introduced by these amendments.

Accordingly, entry of the substitute specification is respectfully requested.

Furthermore, the present claims have been amended to clearly focus on the distinguishing features of the present invention - the reutilization of a plurality of modular containers by coupling the plurality of modular containers through frictional engaging pressure to create a variety of structures, wherein the containers may be coupled along the lateral walls and at the top and bottom of the modular containers. Also, the top surface has a prolonged neck with a ring cord that has a ring grove that works as a retentive rim to prevent de-coupling and rotation of the top and bottom of the modular containers when that are coupled and create the structural groups the form walls. Support for the amendment to Claim 1 may be found on page 18, lines 2 and 6-13. Support for the newly added Claims 33-37 is as follows: Claims 34-37 are identical to Claims 2, 7, 10 and 11; and support for Claim 33 may be found in Claim 1 and on page 1, lines 17-19, page 5, lines 18-21, and page 19, lines 7-15.

Now turning to the Office Action in greater detail, the paragraphing of the Examiner is adopted.

D

Paragraphs 1 & 2

Applicant notes that the Examiner acknowledges that Claims 4-6, 13, 14, 23, and 26-32 are withdrawn from consideration based upon an election previously made.

Paragraphs 3 & 4

The Examiner rejected Claims 1-3, 7-12, 15-22, and 24 under 35 U.S.C. §102(b) as being clearly anticipated by Troy. The Examiner states that Troy shows all the structural features of Applicant's invention.

Applicant traverses this rejection.

In response, Applicant has amended Claim 1, to include the prolonged neck with a ring cord that has a ring grove that works as a retentive rim to prevent spontaneous de-coupling and rotation of the top and bottom of the modular containers when connected. Further, Claim 1, as amended, clearly defines the modular container and is now in condition for allowance. Furthermore, Claims 2-3, 7-12, 15-22 and 24, which depend upon Claim 1 as amended are not allowable. Troy does not teach the use of a ring cord to prevent that act as a retentive rim.

Withdrawal of the rejection is respectfully requested.

Paragraph 5

The Examiner states that the substitute specification was not acceptable and therefore did not enter the substitute specification.

In response, the Applicant is submitting the marked-up copy of the original specification.

Applicant requests that the Examiner reconsider his refusal

D

U.S. Application No. 09/009,327  
AMENDMENT C

ATTORNEY DOCKET NO.: 3881.012

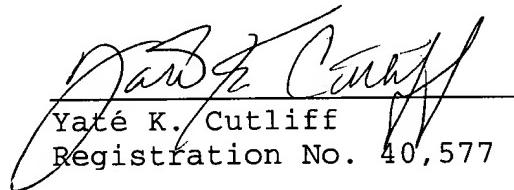
to accept the substitute specification.

Applicant submits that all grounds for rejection and objection have now been removed. Further, Applicant states that amended Claim 1 is now in condition for allowance, and, as such, dependent Claims 2-3 and 15-22 are allowable because they depend on Claim 1.

All claims should now be in condition for allowance. Early indication of allowability is respectfully requested. Should any minor points remain prior to issuance of a Notice of Allowance, the Examiner is requested to telephone the undersigned at the below listed telephone number.

Early issuance of the Notice of Allowance is respectfully requested.

Respectfully submitted,



Yaté K. Cutliff  
Registration No. 40,577

PENDORF & CUTLIFF  
Post Office Box 20445  
Tampa, Florida 33622-0445  
(813) 886-6085

Date: January 18, 2000

